

## **APPENDIX 4**

### **LEASE AGREEMENTS, COMMUNITY POLICIES AND GUIDELINES, AND LEASE ADDENDA**

Agency ("**EPA**") after a 5-year review. According to the ROD, no remediation for groundwater at the Landfill was necessary .

The SI Group, Incorporated ("**SI Group**") conducted a Phase I Environmental Site Assessment ("**Phase I ESA**") in September 2003 and a limited hazardous materials survey of the Base. The scope of work for this Phase I ESA was to summarize the types and quantities of hazardous materials and other environmental conditions present at the Base.

During the site reconnaissance conducted by SI Group, groundwater monitoring reports required by the ROD were reviewed for the Landfill. There were groundwater contaminants detected intermittently in some of the 23 monitoring wells at the Landfill. The noncancer hazard index was 3.2 due to the presence of antimony and thallium. Neither thallium nor antimony were detected during the last 2 rounds of sampling. The main contributors to the groundwater cancer risk were 1, 2 dichloroethane (1,2-DCA), tetrachloroethene, and trichloroethene. The cancer risk was calculated to be within the risk management range ( $1 \times 10^{-6}$ ). The risk/hazard for groundwater is within the EPA's risk management range and is therefore determined to be an acceptable risk.

The groundwater gradient is to the northwest towards the Santa Margarita River and away from the housing areas on the Base. A minimum of 5 years of biannual monitoring of the Landfill groundwater is required. In addition, the Comprehensive Environmental Response, Compensation, and Liability Act, also known as CERCLA, required 5-year reviews pursuant to the ROD to assure that site conditions do not change. The groundwater monitoring cannot cease unless approved by the EPA. Landfill gas monitoring is also conducted on a minimum of a monthly basis. The Landfill has been permanently closed, and no additional materials can be added.

#### **B. CONCLUSION**

It may be a number of years before sufficient information regarding conditions of the groundwater and contaminants, and migration thereof, if any, are available for the EPA to fully evaluate. According to the EPA, any health risks posed by the Landfill have been addressed through containment and appropriate continued monitoring and maintenance.

Owner desires to warn Resident that the area contains hazardous materials that could potentially pose a risk to Resident. Resident should be aware that it is extremely important to prevent children and all others from entering the Landfill. The Phase I ESA prepared by the SI Group and other environmental reports are available for review at the Agent's office listed on Page 1 of this Lease.

#### **II. Stuart Mesa East Agricultural Fields**

The Stuart Mesa East Agricultural Fields ("**Ag Fields**") overlap with certain portions of the Stuart Mesa military family housing development and are adjacent to others. The Ag Fields consist of approximately 376 acres of open fields that were used to cultivate agricultural crops dating back to the 1940s. Several agricultural support buildings have also been located at the Ag Fields. Throughout the historical use of the property, pesticides, herbicides and fertilizers were legally applied to the land for agricultural purposes. As a result of the application of organo-chlorine pesticides, residual concentrations of the chemicals toxaphene and dieldrin were found in soil samples throughout the Ag Fields above the applicable EPA remedial goals ("**RGs**") for residential use areas.

Beginning in 2008, when the Ag Fields were slated for residential development, and inclusion in the Stuart Mesa Development, the Department of the Navy took steps to address the pesticide contamination issue to ensure that the Ag Fields were suitable for residential use. The Navy retained an environmental contractor to properly delineate areas of the Ag Fields that contained levels of pesticide contamination above residential RGs. Several soil removals were subsequently conducted in portions of the Ag Fields that were slated for residential development to remove soils that contained pesticide-based contaminants

**SURROUNDING LAND USES DISCLOSURE**

above the applicable residential RGs for toxaphene and dieldrin. These excavations occurred in four phases, each of which received a "No Further Action" ("NFA") determination from the California Regional Water Quality Control Board for San Diego. The four NFA letters are dated November 2009 (covering an approximately 60-acre development parcel), May 2010 (covering 14.3 acres to the west and south of 60-acre development parcel), March 2011 (covering a 221.9-acre area), and April 2012 (covering a 41.1-acre area).

Soils in areas of the Ag Fields outside the Stuart Mesa Development may contain pesticide contamination above the applicable RGs. Furthermore, soil and groundwater contamination has been identified in areas adjacent to the Ag Fields. In particular, the Base is addressing the former Harry Singh and Son's farm maintenance area, located 600 feet to the northwest of the Stuart Mesa Development, under the Installation Restoration Program ("IRP"). The farm maintenance area has been designated as IRP Site 1120, and is the subject of an environmental investigation to delineate the extent of known petroleum and pesticide contamination. The eucalyptus tree line to the east of the Ag Fields is also undergoing environmental investigation to determine the extent of possible pesticide contamination.

I/WE ACKNOWLEDGE THAT I/WE HAVE READ AND RECEIVED A COPY OF THIS DISCLOSURE CONCERNING [BOX CANYON LANDFILL AND STUART MESA EAST AGRICULTURAL FIELDS]. I/WE HEREBY ACKNOWLEDGE THAT I/WE UNDERSTAND THE CONTENTS HEREOF.

"RESIDENT"

_____ ("Signature")	_____ ("Signature")
Date: _____	Date: _____